

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOURDEN JENSEN ST. MARKS,

Defendant.

**CR-13-24-GF-BMM-01**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter October 3, 2016. (Doc. 55.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and

Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 29, 2016. (Doc. 54.) St. Marks admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of St. Marks's supervised release. Judge Johnston has recommended that the Court revoke St. Marks's supervised release and commit St. Marks to the custody of the Bureau of Prisons for six months and given credit for time served (Doc. 55 at 4.) Judge Johnston further has recommended that St. Marks's term of custody be followed by 30 months of supervised release.

The Court hereby corrects Judge Johnston's Findings and Recommendations to reflect that Federal Defender R. Henry Branom, not Evangelo Arvanetes, represented St. Marks in the initial appearance and revocation hearing on September 29, 2016. The corrections are made on the final paragraphs of pages 2 and 3 of the document. (Doc. 55 at 2, 3.) The Court otherwise finds no clear error in Judge Johnston's Findings and Recommendations. St. Marks's violations of his conditions represent a serious breach of the Court's trust. A sentence of six months custody followed by 30 months of supervised release represents a sufficient, but not greater than necessary, sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 55) is ADOPTED IN SUBSTANTIAL PART.

**IT IS FURTHER ORDERED** that Defendant Jourden Jensen St. Marks be sentenced to six months custody followed by 30 months of supervised release. The conditions previously imposed shall be continued.

DATED this 25th day of October, 2016.



---

Brian Morris  
United States District Court Judge